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Attorneys for Defendant KLA-Tencor Corporation

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION

ROBERT L. GARBER, on behalf of  
himself and all others similarly situated,

Plaintiff,

vs.

KLA-TENCOR CORPORATION,  
EDWARD W. BARNHOLT, H.  
RAYMOND BINGHAM, ROBERT T.  
BOND, RICHARD J. ELKUS, JR.,  
STEPHEN P. KAUFMAN, JOHN H.  
KISPERT, KENNETH LEVY, KENNETH  
L. SCHROEDER, JON D. TOMPKINS  
and LIDA URBANEK,

Defendants.

Case No. C 06-4065 MJJ

**STIPULATION AND ~~PROPOSED~~  
ORDER EXTENDING DEFENDANTS'  
TIME TO RESPOND TO CLASS ACTION  
COMPLAINT, ESTABLISHING  
BRIEFING SCHEDULE FOR  
RESPONSIVE MOTION(S), AND  
CONTINUING INITIAL CASE  
MANAGEMENT CONFERENCE**

STIP AND ~~PROPOSED~~ ORDER EXT DEFETS'  
TIME TO RESP TO CLASS ACTION  
CMPLT, EST SCHED, AND CONT INIT CMC

1 WHEREAS, Plaintiff Robert L. Garber, on behalf of himself and all others similarly  
2 situated, filed a securities class action complaint on or about June 29, 2006;

3 WHEREAS, the Order Setting Initial Case Management Conference and ADR Deadlines  
4 in this case scheduled an Initial Case Management Conference for October 3, 2006;

5 WHEREAS, Plaintiff served a summons and copy of the complaint on Defendant KLA-  
6 Tencor Corporation on or about July 11, 2006;

7 WHEREAS, Plaintiff anticipates that additional plaintiffs will seek to join this action  
8 and/or will file separate class actions asserting substantially the same claims against substantially  
9 the same defendants named in this action and that these actions will be consolidated before this  
10 Court and an amended consolidated complaint filed;

11 WHEREAS, Plaintiff and his counsel intend to file a motion to be appointed lead plaintiff,  
12 and lead plaintiff's counsel, respectively, pursuant to the Private Securities Litigation Reform  
13 Act;

14 WHEREAS, Defendants have requested an extension of time to respond to the class  
15 action complaint until a reasonable time after motions for consolidation and appointment of a lead  
16 plaintiff are decided;

17 WHEREAS, Defendants intend to file motion(s) pursuant to Federal Rule of Civil  
18 Procedure 12 and the Private Securities Litigation Reform Act in response to the complaint or any  
19 consolidated complaint;

20 WHEREAS, Local Rule 16-2(e) requires Court approval of any stipulation to vary the  
21 date of a Case Management Conference;

22 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between  
23 the undersigned counsel for Plaintiff and Defendant KLA-Tencor Corporation, as follows:

24 1. The time for all defendants to respond to the complaint shall be extended until  
25 thirty (30) days after the Court's ruling appointing a lead plaintiff and lead plaintiff's counsel. If  
26 an amended and/or consolidated complaint is thereafter filed, then defendants' response to the  
27 complaint shall be due thirty (30) days after the service of such amended and/or consolidated  
28 complaint. Plaintiff agrees not to treat any failure to respond by any defendant before this time as

STIP AND [PRPD] ORDER EXT DEFTS'  
TIME TO RESP TO CLASS ACTION  
CMPLT, EST SCHED, AND CONT INIT CMC

1 a default.

2 2. Once defendants respond to the complaint by filing Rule 12 motion(s), Plaintiff  
3 will have 30 calendar days to file and serve any opposition to the motion(s) and defendants will  
4 have 15 calendar days to file and serve any reply briefs in further support of the motion(s). The  
5 hearing date for the Rule 12 motion(s) will be determined by the Court.

6 3. The Initial Case Management Conference currently set for October 3, 2006 will be  
7 continued to the date to be set by the Court approximately 30 days after the hearing on the Rule  
8 12 motion(s). All other deadlines set forth in the Order Setting Initial Case Management  
9 Conference and ADR deadlines are continued accordingly.

10  
11 Dated: July \_\_\_\_\_, 2006

MORGAN, LEWIS & BOCKIUS LLP

12  
13 By \_\_\_\_\_  
14 Joseph E. Floren  
15 Attorneys for Defendant KLA-Tencor  
Corporation

16 Dated: July \_\_\_\_\_, 2006

GREEN WELLING LLP

17  
18 By \_\_\_\_\_  
19 Robert S. Green  
20 Attorneys for Plaintiff

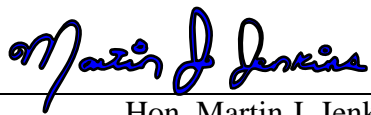
21  
22 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

23 1. The time for all defendants to respond to the complaint shall be extended until  
24 thirty (30) days after the Court's ruling appointing a lead plaintiff and lead plaintiff's counsel. If  
25 an amended and/or consolidated complaint is thereafter filed, then defendants' response to the  
26 complaint shall be due thirty (30) days after the service of such amended and/or consolidated  
27 complaint.

2. After the filing of defendants' responsive motion(s), Plaintiff will have 30 calendar days to file and serve any opposition to the motion(s) and defendants will have 15 calendar days to file and serve any reply briefs in further support of the motion(s).

3. The Initial Case Management Conference scheduled in this action for October 3, 2006 is continued to the date to be set by the Court approximately 30 days after the hearing on the defendants' responsive motion(s). All other deadlines set forth in the Order Setting Initial Case Management Conference and ADR deadlines are continued accordingly.

Dated: July 31, 2006

By   
Hon. Martin J. Jenkins  
United States District Judge